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25 UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

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1 jointly submit this Supplemental Case Management Statement and Proposed Order and request the
2 Court to adopt it as a Supplemental Case Management Order in this case.

3 **DESCRIPTION OF SUBSEQUENT CASE DEVELOPMENTS**

4 1. The following progress or changes have occurred since the Joint Supplemental Case
5 Management Statement of January 27, 2009:

6 (a) Discovery

7 The parties have exchanged requests for production of documents and interrogatories.
8 Written responses have been served to some of the requests and interrogatories. The time to
9 respond to the remaining interrogatories, document requests and requests for admissions has been
10 extended by stipulation, so that all discovery, other than expert's discovery, will be completed by
11 April 15, 2009.

12 The parties request an extension of the fact discovery cut-off in the Scheduling Order to
13 April 15, 2009.

14 The parties request that the deadline for expert's reports in the Scheduling Order be
15 extended to April 21, 2009.

16 There have been no depositions to date.

17 (b) Motions

18 There have been no motions since the Joint Supplemental Case Management Statement of
19 January 27, 2009.

20 (c) Pleadings

21 The parties are considering submission of an Amended Answer and Second Amended
22 Complaint by stipulation, pending the resolution of settlement discussions.

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25 Joint Supplemental Case Management Statement
Adversary Proceeding No. 08-3073 TC

1 (d) ADR

2 The mediation occurred on February 12, 2009 at the offices of Andrea Porter. No
3 agreement was reached. The parties have been discussing potential resolution of part of the case
4 since the mediation.

5 2. The parties jointly request that the Court make the following Supplemental Case
6 Management Order:

7 (a) The Status Conference scheduled for March 20, 2009 shall be rescheduled for April 17,
8 2009.

9 (b) The Scheduling Order of September 25, 2008 shall be modified as follows:

10 (i) All discovery shall be completed by April 15, 2009, other than expert's discovery.
11 (ii) Reports of retained experts are due from both plaintiff and defendants by April 21,
12 2009.

13 Dated: March 18, 2009

14 Respectfully submitted:

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Joint Supplemental Case Management Statement
Adversary Proceeding No. 08-3073 TC

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Joint Supplemental Case Management Statement
Adversary Proceeding No. 08-3073 TC

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